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Counsel for Defendant SCARDINO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-3-06-70568 MAG
	)	
Plaintiff,	)	DEFENDANT'S UNOPPOSED MOTION
	)	AND <del>PROPOSED</del> ORDER GRANTING
v.	)	MOTION FOR MODIFICATION TO
	)	RELEASE BOND
BRITTNI SCARDINO,	)	
	)	
Defendant.	)	

On September 6, 2005, this Court released defendant Brittini Scardino on a \$100,000 unsecured bond. As a condition of her release, Ms. Scardino was ordered to appear in Federal District Court for the District of South Dakota on or before September 20, 2006.

Immediately upon her release, Ms. Scardino contacted the Federal Public Defender in Rapid City, South Dakota. In turn, the Federal Defender contacted the Clerk of the Court to place the matter on the magistrate's calendar. Ms. Scardino was given a date of October 5, 2006. Attached hereto as *Exhibit A* is a letter from counsel confirming this information.

Ms. Scardino respectfully requests that the Court modify her release conditions to require that she appear in South Dakota on or before October 5, 2006. Undersigned counsel has

///

1 confirmed that the government does not oppose the requested modification.

2 Dated: September 14, 2006

3 Respectfully submitted,

4 BARRY J. PORTMAN  
Federal Public Defender

5 

6 JOSH COHEN  
7 Assistant Federal Public Defender

8 **ORDER**

9 Accordingly, and for good cause shown, the defendant's conditions of release are hereby  
10 modified as follows: Ms. Scardino shall appear in Federal District Court for the District of South  
11 Dakota on case number CR-06-50064 on or before October 5, 2006. All other conditions shall  
12 remain in effect.

13 IT IS SO ORDERED.

14 Dated: September 14, 2006



# EXHIBIT A

**FEDERAL PUBLIC DEFENDER  
DISTRICTS OF SOUTH DAKOTA AND NORTH DAKOTA**

Jeffrey L. Viken

DATE: September 13, 2006

TO: Mr. Josh Cohen

FROM: Mr. Gary G. Colbath, Jr.

FAX NO: (415) 436-7706

NUMBER OF PAGES INCLUDING THIS SHEET: 1

RE: *U.S.A. v. Brittni Seardino, a/k/a Brittni Poore*  
CR No. 06-50064-01

MESSAGE: Pursuant to our conversation, this is to confirm that the magistrate court here in South Dakota has set Ms. Seardino's initial appearance for Thursday, October 5, 2006, at 1:30 p.m. She need not be in South Dakota or appear in court before that time. Should you have any questions, please feel free to contact me.



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703 Main Street, 2nd Floor, Rapid City, South Dakota 57701  
Telephone: (605) 343-5110 Telefax: (605) 343-1498

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that the following:

**Defendant's Unopposed Motion and [Proposed] Order Granting Motion For Modification to Release Bond**, was stamped "Filed" September 14, 2006 in the case **United States v. Brittini Scardino**.

and served by hand to:

United States Attorney,  
1301 Clay St. Room 340S  
Oakland, CA 94612  
Fax # 510-637-3724

September 14, 2006

  
MICHAEL TARKINGTON